Passed

Development (1950) Department.

MS. SERIES.

G.O. NO. 2320

Dated 8.6.50

[Despatch Abstract.]

Land Acquisition - Coimbatore District - Kollegal Taluk - Hudigunalam village - Central Mulberry Nursery at Kollegal - Establishment of - Draft notification under Section 4(1) and Draft Declaration under Section 6 of the L.A. Act - Published

REVENUE DEPARTMENT.

Subject.

LAND ACQUISITION - (Coimbatore) - Kollegal Taluk - Ludigundam village - Central Mulberry Nursery at Kollegal - Establishment - Draft Notification and Drart Declaration - Submitted.

- - -

Board's Ref: I.2847/50-1. Dated 22nd May 1950.

From

Sri H.C. Thomas, B.A.,
Joint Secretary, Board of Revenue, Madras.

Sri W.R.S.Sattianathan, I.C.S.,
Commissioner of Land Revenue.

- - -

Read:-

1. Board's Ref. I.2802/49-1 dated 6-6-49.
2. Govt. Memo No. 4706-D-1/49-4 dated 7-6-49. (Development).
3. G.O.Ms. No. 412 Development dated 1-2-50.
4. Collector of Coimbatore Ref. 3088/50-C3 dated 28-4-50.

- - -

REFERENCE:

Submitted to the Government.

2. The Board recommends that the draft 4(1) notification and drart declaration with the urgency clause in respect of the acquisition of S.Nos. 69, 74-A1, 73/B, 74 and 76 and the drart 4(1) notification under the ordinary provisions of the Land Acquisition Act in respect of S.No. 75 which contains a tope, submitted by the Collector of Coimbatore, may be approved and ordered to be published in the sucessive issues of the Fort.St. George Gazettes, the 4(1) notifications being published earlier.

For Joint Secretary.

To the Secretary to the Government, Development Department, Madras.
with Drart Notification and Drart Declaration and enclosures in original.

From
Dr.V.N. Rajan, I.C.S.,
Collector,
Coimbatore.

To
The Secretary to the Government,
Revenue Department Development
Department, M a d r a s.

Thro' the Secretary to the Board of Revenue,
Land Revenue and Irrigation,
M a d r a s.

Ref. 3088/50 C3 Dt/28-4-1950

Sir,

Sub: Land Acquisition - Kollegal Taluk - Mudigundam village - Central Mulberry Nursery at Kollegal - Establishment - Proposals - for acquisition of land - submitted.

Ref: G.O.C. No. Rs. 412, Development Department, dated 1-3-1950.

The Government have sanctioned in the Government Order cited above, the acquisition of 15.29 acres in Mudigundam village Kollegal taluk, for the establishment of a Central Mulberry Nursery. The Sericultural Expert, Kollegal, has applied for the acquisition in the prescribed form. He wants only an extent of 0-56 acre in S.No. 73 A, thus reducing the total extent to be acquired to 13.35 acres only. The fields to be acquired and the extents to be acquired are given below:

		Acres	Cents.	
S.No.	69	0	- 88	(whole)
,,	73-B	2	- 48	(-do-)
,,	74	2	- 07	(-do-)
,,	73 A1	0	- 56	(new subdivision)
,,	75	0	- 49	(whole)
,,	76	6	- 87	(-do-)
		13	- 35	

The portion to be acquired in S.No. 73 A has been subdivided as 73 A1. All the above fields are registered as 'Government Dry and S.No. 75 is a 'Mango tope'

S.Nos. 69 and 74 stand registered in the name of one C.P. Puttappa. He is now dead and his only son and heir has been included in the 4(1) notification and draft declaration.

S.No. 73-B is owned by (1) Girijamma, (2) Mallamma, (3) Pindi and (4) Neelamma.

S.No. 75 is registered in the name of (1) Puttumadappa (2) M.P. Mahadevamma, (3) M.P. Sivanna (4) Minor Chandramma, 5) Minor Ambarka with M.P. Sivanna as guardian for the minors.

S.No. 76 is owned by (1) Manayammi, 2) Minor Siddura, guardian mother No.-1; Manayammi and (3) Abrahamiah.

S.No. 73 A1 is registered in the name of B. Neelamma.

2. There are no buildings, tombs, graveyards or wells

P.T.O.

IV/

on the lands proposed to be acquired; but S.No. 75 is reported to be used as a family burning ground. It does not contain any tomb etc., S.No. 75 is a 'Mango tope' and S.No. 76 has been cultivated with mulberry over an extent of two acres.' The Revenue Divisional Officer, Kollegal, has now fixed the value of the lands except S.No. 75 at Rs. 320/- per acre. But when proposals were submitted last year by his predecessor, he adopted a value of Rs. 270/- per acre based on the valuation made in 1944 in respect of S.Nos. 52, 53, 54, 55, 56, 57, 58, and 59 of Mudigundam village, which were acquired for the Sericultural Department. The present valuation of Rs. 320/- per acre is based on the sales in the vicinity in the years 1945-46, 1946-47, 1947-48 and 1948-49. I enclose a copy of the note ~~Collection~~ dated 11-4-1950 of the Revenue Divisional Officer on the valuation and a valuation chart. Regarding S.No. 75/- the Revenue Divisional Officer has fixed its value according to the instructions in Ch. XV of the Land Acquisition Manual. He has assessed the annual income of the tope at Rs. 80/- per year and has arrived at the capitalised value of 20 times the income as the value to be paid for the land. He has assessed the value of the mulberry plantations in S.No. 76 at Rs. 15/- per acre. The valuations are reasonable. S.No. 69, 73 B, 74 and 76 contain trees. The Revenue Divisional Officer, Kollegal has adopted seigniorage rates in valuing them and this is contrary to the instructions in Ch. XV of the Land Acquisition manual. I am instructing him to adopt local market rates in valuing them.

M.C 3. When proposals were submitted last year for the same fields, the Board ordered in its Ref. I 2802/49-1 dated 6.6.1949 that it was not desirable to acquire S.No. 75, containing a tope under the urgency provisions of the Act. Hence the emergency clause has not been resorted to in the case of S.No. 75 now. The Sericulturist requires the lands urgently for doing preliminary work before the setting in of the summer rains. The emergency clause, is therefore, applied in the case of all other fields. I, therefore, submit herewith draft 4(1) notification and draft declaration under Section 6 in the case of all the fields except S.No. 75 applying the emergency provisions and draft 4(1) notification alone for S.No. 75 under the ordinary provisions of the Land Acquisition Act. I request that they may be approved and ordered to be published in the Fort St. George Gazette the Draft Declaration being published in the issue subsequent to that containing the 4(1) notification.

KVR/28-4. FOR COLLECTOR.

Enc: Draft 4(1) notification in respect of S.No. 75 in duplicate.
Draft 4(1) notification and draft declaration in duplicate in respect of the other field.
Copy of Kollegal R.D.O.'s note d/11-4-50 regarding valuation.
Valuation chart.

Copy to the Revenue Divisional Officer, Kollegal.

9

7/5

R.F. XVIII-A-25—9,106—3-7-45.

Form of notification to be issued under section 4 of the Land Acquisition Act I of 1894, as amended by Act XXXVIII of 1923.

WHEREAS it appears to the Government that the land specified in the schedule below and situated in the Mudigundlanu village Kallagal taluk, ~~Coimbatore~~ district, is needed for a public purpose, to wit, establishing a (x) notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4 (1) of the Land Acquisition Act I of 1894, as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and the Governor ~~in Council~~ hereby authorizes the Revenue Inspector Kallagal and workmen to exercise the powers conferred by section 4 (2) of the Act. Under section 3 (c) of the same Act, the Governor ~~in Council~~ appoints the Revenue Inspector Kallagal to perform the functions of a Collector under section 5-A of the Act.

~~Under sub-section (4) of section 17 of the Act, the Governor in Council directs that in view of the urgency of the case the provisions of section 5-A of the Act shall not apply to the acquisition of the waste or arable lands specified in the schedule.~~

[P.T.O.

(x) Central Mulberry Nursery at Kallagal

6 -

SCHEDULE.

District Coimbatore

Taluk Kollegal

Village Mudigundam

Description of land: wet or dry, inam or poramboke, with survey or paimash No. Sno 75 Dry Ryotwar

Name of owner or occupier (1) S. Puttumadappa (2) M.P. Mahadevamma (3) M.P. Sivamma (4) Minor Lakshmanamma (5) Ambakka guardian no (3) M.P. Sivamma

Boundaries of the land required to be taken up—

North 60 c.t. por
East 60
South 76
West 74

Approximate extent to be taken up. 0-49 ac

Whether waste or arable. Arable

NOTE.—The provision under the urgency clause should be deleted when not required.

2.8.50 4/11/50 for Collector

All the amounts may be paid to Revenue Officer

R.F. XVIII-A-25—14,966—6-6-16.

Form of notification to be issued under section 4 of the Land Acquisition Act I of 1894, as amended by Act XXXVIII of 1923.

WHEREAS it appears to the Government that the land specified in the schedule below and situated in the Madigeendanu village, Kallegal taluk, Coimbatore district, is needed for a public purpose, to wit, establishing a ⊗ notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4 (1) of the Land Acquisition Act I of 1894, as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and the Governor in Council hereby authorizes Tuckwood Upper Kallegal, his staff and workmen to exercise the powers conferred by section 4 (2) of the Act. ~~Under section 3 (c) of the same Act, the Governor in Council appoints Tuckwood Upper Kallegal to perform the functions of a Collector under section 5-A of the Act.~~

Under sub-section (4) of section 17 of the Act, the Governor in Council directs that in view of the urgency of the case the provisions of section 5-A of the Act shall not apply to the acquisition of the waste or arable lands specified in the schedule.

[P.T.O.

⊗ Central mulberry Nursery at Kallegal

40/8

SCHEDULE.

District

Taluk

Village

Description of land: wet or dry, inam or poramboke, with survey or paimash No.

Please see reverse sheet

Name of owner or occupier

Boundaries of the land required to be taken up—

North

East

South

West

Approximate extent to be taken up.

Whether waste or arable.

NOTE.—The provisions under the urgency clause should be deleted when not required.

SCHEDULE. #15

#3

District:- COIMBATORE Taluk:- KOLLEGAL

Village:-MUDIGUNDAM.

Description of land wet or dry Poramboke.	S.No.	Name of owner or Occupier.	Boundaries of the land to be taken up. N. E. S. W.	Approximate extent to be taken up.	Whether waste or arabl
Dry-Ryotwari	69	M.P.Sivanna	60 60 74 68	0-88	Arable.
do	74A1	B.Neelamma	74 73B. 73A2. 72	0-56	do
do	73B	1.Girijamma 2.Mallamma 3.Hindi 4.B.Neelamma	74 76 1 River por. of Uthamaballi. 73A1 73A2	2-48	do
do	74	M.P.Sivanna	69 75 60 73A1 73B 70 72	2-07	do
do	76	1.Maniyammi 2.Minor Siddura guardian mother No.1.Maniyammi 3.Abrahamiah	74 75 60 77A 81A 81D wet 73B	6-87	
		Total		12-96	

for Revenue Divisional Officer, Kollegal.

for Collector

NOTIFICATION.

R.F. XVIII-A-8—6,735—3-7-45.

UNDER section 6 of the Land Acquisition Act His Excellency the Governor of Madras, hereby declares that the land specified below and measuring acres 12-36, be the same a little more or less, is needed for a public purpose to wit, for establishing a central nursery and 7 of the same Act, the Revenue Divisional Officer, Kollegal appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under sub-section (1) of section 17 of the Act His Excellency the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 9 (1) of the Act. A plan of the land is kept in office of the Revenue Divisional Officer Kollegal and may be inspected at any time during office hours.

SCHEDULE.

District. (1)	Taluk. (2)	Village. (3)	Description of land, wet or dry, inam or poramboke, with Survey or Paimash number. (4)	Name of owner or occupier. (5)	Boundaries of the land required to be taken up. North. (6)	East. (7)	South. (8)	West. (9)	Extent to be taken up (10)
									ACS.
			Ryotwari	M.P. Suvanna	60	60	74	68	0-88
			Dry-69	E.Neelamma	74	73B	73A2	72	0-56
			73 A1	1). Girijamma					
			73 B	2) Mallamma					
				3) Hindi	74	76	1	73 A1	
				4) Neelamma			River for Uthampalli village.	A2	2-48

NOTE.—The Provision under the urgency clause should be deleted when not required.

[P.T.O.

X 98/17

2

District. (1)	Taluk. (2)	Village. (3)	Description of land, wet or dry, inam or poramboke, with Survey or Paimash number. (4)	Name of owner or occupier (5)	Boundaries of the land required to be taken up. North. (6)	East. (7)	South. (8)	West. (9)	Extent to be taken up. (10)
			Ryotw Pl Dry 74	Sivamma N.P. ~~Sivamma~~	69	75	73A1	70	ACS.
						60	7308	72	2-07
			do-76	1. Manayammi					
				2. Minor Siddura Guardian mother No. (1) Manayammi.	74 75 60	77A	81A & D not met	73B	6-87
				3. Abrahamiah.					
							Total.		12-86

Collection entered 6/6

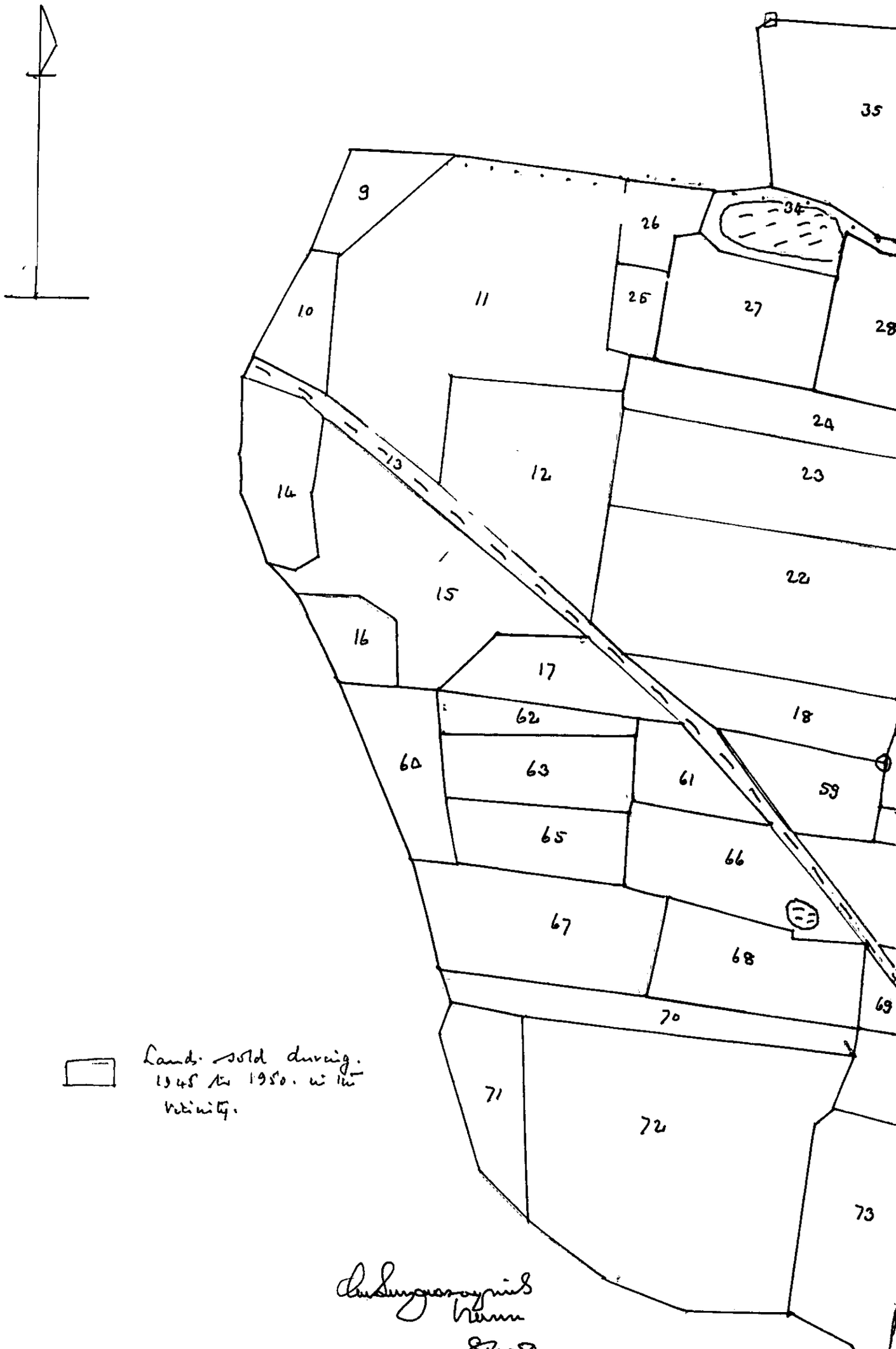
For Revenue Divisional Officer,
Kollegal.

12/6/50

W/ [illegible] : 28/4/50

For Collector

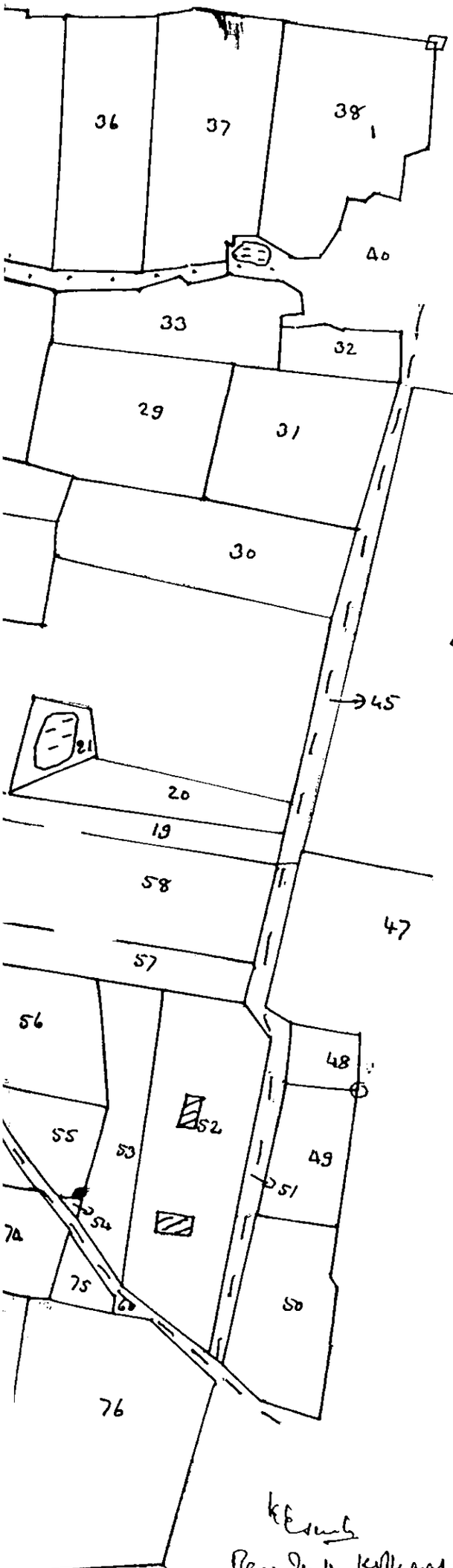
Dr 28.4.50 - R/ 28.6.50



Land sold during 1945 to 1950 in vicinity.

84-50

Mdigundam. Village. 21
Kollegal Taluk. ~~23~~ 13



Sale Particulars of land in the vicinity.

No	Sm	Extent.	Amount.	Document No.
			1945.	46.
1	69 74	0.88 2.07	1000/-	D. No 1632/45.
2.	61	1.38	400/-	D No 1/46
3	11	12.73	1500/-	D No 550/46
			46.47	
4	23 43	1.50 0.62	500/-	D No. 451/47
5	15	0.33	100/-	D No 315/47
6	4		47.48.	
	23	1.00	500/-	D No 1518/47
7	38	0.45	200/-	D No 407/48
			48-49.	
8	38	0.45	300/-	D No 543/48
9	12	1.29½	100/-	D No. 1219/48
10	22C	1.45	500/-	D No 2500/48
11	56/1	0.34	175/-	D No 2006/48
12	65	0.45	50/-	D No 2746/48
13.	66	0.40	50/-	D No 2745/48
			1949.50	
14	228	1.45	500/-	D No 1832/49

Rev. Dep. Kollegal
8.4.50

25

15

Note on valuation.

All the lands proposed to be acquired except S.No. 75 are registered dry lands and are also used as such and they are contiguous and are of the same nature. They are fit for raising dry crops. There is no well in any of the lands. Only unirrigated crops are being raised. S.No. 75 is a mango tope and it is valued as such. The appended sketch and statement shows the lie of the locality and the details of sales in the vicinity between 1945-46 and 1949-50. As acquisition was thought of even as early as 48-49 I leave out of account sales in 48-49 and 49-50 as it is likely that an artificial high value has been registered. In a few cases some of the sales in 48-49 are also for very low amounts (e.g.) item No. 9 in the statement. This is probably due to the tendency to evade stamp duty and the consideration noted in the sale deed was purposely put lower that the real amounts of the transactions. Among the sales reported the two items in 47-48 relate to lands which are a little farther away. Items 1 and 2 in 45-46 and items No. 5 in 46-47 relate to lands close by. They work out to a rate of Rs. 345/-, 290/-, 303/- respectively. The average comes to Rs. 313/- . I, therefore, put the valuation at Rs. 320/- per acre. This compares favourably with the rate obtained in the sale in 1949-50 item No. 14. This comes to Rs. 345/- per acre. There is a slight increase of prices since 1946-47. As regards S.No. 75 there have been no sales of similar topes in the vicinity. It is ascertained that the income of the tope per year was about Rs. 70/- per year. It is likely to go up in the future. The trees are young and may yield more in future years. The average may be fixed at Rs. 80/- per year. At this rate the capitalised value comes to Rs. 1600/- The compensation for Mulberry in S.No. 76 may be fixed at Rs. 15/- per acre.

(sd) ——
For R.D.O., KGL

/True Copy/

N. Srinivasan
Huzur Head Clerk
Collector's Office

Coimbatore 7.5.52

Dl. inv. & issue intimated 8/6.

S/916

Development (MI) Department.

Sub: Land Acquisition - Coimbatore District - Kollegal Taluk - Mudigundam village - Central Mulberry Nursery at Kollegal - Establishment of - Draft Notification under section 4(1) and Draft Declaration under Section 6 of the L.A. Act - Published.

Read:

From the Collector of Coimbatore, Ref. No.3088-50.C.3 dated 28-4-50

From the Board of Revenue, Ref: I.2847-50-1 dated 22-5-50.

G.O.Ms.No. 2320 Dated 8.6.50.

The draft notification under Section 4 (1) and the draft declaration under Section 6 of the Land Acquisition Act, in respect of the acqusition of S.Nos. 69, 74 A.1, 73B, 74 and 76 of Mudigundam village, submitted by the Collector of Coimbatore with his letter read above are approved and forwarded to the S.G.P. for publication in the Fort St. George Gazette. The S.G.P. is requested to see that the notification and the declaration are published in successive issues (not in the same issue) of the Fort St. George Gazette, the 4(1) notification being published earlier. The Govt. accept the view that the acquisition of these lands is an urgent one and under section 17(4) of the L.A. Act direct that the provisions of section 5A of the Act shall not apply to this case.

2. The draft notification under Section 4(1) of the L.A. Act in respect of S.No.75 of the village submitted by the Collector of Coimbatore is also approved and forwarded to the S.G.P. for publication in the Fort St. George Gazette.

To the S.G.P. (with encl.) pp13-15/14-2-51

To the Collr. of Coimbatore.

To the Board of Revenue.

To the D. I & C.

8/2755 dt 27552 7-8-51 urgent publication

1402/27550

R.T.G.

Note.....

27/18

Note: The Rds recommendation cannot be accepted. The draft overleaf may be sent to Revenue for acceptance.

Dev. u.o.M. 45141
M.I-50-1 d 27.5.50.

27/5/50

27550

27551

To A.S.

RD

The draft order overleaf may be accepted subject to the correction indicated at A on pp 17 and 19 c.f.

2/- The file may be returned

To Dev

EW
31.5.50.

2/6/50 Dev -

49548
5.6.50
DOV

Rev u 34456/RD
2-6-50

6/2650

To A.S.

Dev. dept.

Rev. dept's note above may be perused

The corrections made at A on pp 17 & 19 c.f. in the draft declaration may be accepted by Mat dept. and the draft order on p1 above may issue with the correction in the draft declaration.

80/6/6/50 7650.

7650

8.6.50

(Issued as Govt MS. No. 2320 Development D/. 8650).